

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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COTT CORPORATION and  
CLIFFSTAR, INC.,

Plaintiff,

v.

ORDER  
11-CV-552A

DECAS BOTANICAL SYNERGIES, LLC.,

Defendant.

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The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On October 11, 2011, defendant filed a motion to transfer venue to the District of Massachusetts. On December 23, 2011, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendant's motion be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, defendant's motion to transfer venue is denied.

The case is referred back to Magistrate Scott for further proceedings.

SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE

DATED: September 19, 2012